



FLORENCE CITY COUNCIL

MINUTES – REGULAR MEETING TUESDAY, DECEMBER 12, 2006

The City Council of the City of Florence, Kentucky met in Regular Session on Tuesday, December 12, 2006 at 7:00 p.m. in the Florence Government Center with Mayor Diane E. Whalen presiding in the Chair.

CALL TO ORDER, WELCOME, & ROLL CALL:

Mayor Whalen called the regular meeting to order and declared the Regular Session to be open for the presentation of all City business.

The roll was called and the following members of Council registered present: Mel Carroll, Dale Stephens, David A. Osborne, Vice Mayor Dr. Julie Metzger Aubuchon, Betsy Conrad, and Ted Bushelman.

Also present were Mayor Diane E. Whalen, City Coordinator Patricia J. Wingo, City Attorney Hugh O. Skees, Assistant City Coordinator/Community Development Director Rick Lunnemann, Fire Chief Marc Muench, Human Resources Director Regina Blain, Information Technology Director Colin Campbell, Police Chief Tom Szurlinski, Public Services Director Bob Townsend, City Engineer Bill Viox, Police Officer Mike Stanaland, Volunteer Firefighters Samuel Menke, Robert Neltner, Joseph O'Brochta, Joseph Reed, Jerry Schmidt, & Andrew White, Boone County Public Safety Communications Center Director Jim Stavermaun, Jonathan Brown, James Rybolt, Kelly Huff, Rob Ransdell, Angel Reed, Chuck Reed, Videographer Jerry Schrepfer, Kentucky Enquirer Reporter Brenna Kelly, Florence Recorder Newspaper Reporter Lindsay Kottmann, and City Clerk Joe Christofield.

MINUTES:

Mayor Whalen called for a motion to approve the minutes of November 28, 2006 regular meeting of Council. Councilmember Bushelman so moved, with second from Councilmember Stephens. **Council approved by unanimous vote.**

SWEARING-IN:

Mayor Whalen recognized Police Chief Tom Szurlinski who introduced new Police Officer Mike Stanaland.

Mayor Whalen gave the Oath of Office to Officer Stanaland.

SWEARING-IN:

Mayor Whalen recognized Fire Chief Marc Muench who introduced new Volunteer Firefighters Samuel Menke, Robert Neltner, Joseph O'Brochta, Joseph Reed, Jerry Schmidt, and Andrew White.

Mayor Whalen gave the Oath of Office to Volunteer Firefighters Menke, Neltner, O'Brochta, Reed, Schmidt, and White.

SECOND READING:

Mayor Whalen presented the following Ordinance for second reading:

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ORDINANCE O-28-06: AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 2.4158 ACRE SITE LOCATED AT 4885 HOUSTON ROAD, FLORENCE, KENTUCKY, TO ALLOW A MONUMENT SIGN. (RNS PROPERTIES, LLC PROPERTY)

Mayor Whalen read the following summary of the Ordinance: *The effect of this Ordinance is to allow a monument sign in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 2.4158 acre site located at 4885 Houston Road, Florence, Kentucky.*

Councilmember Carroll moved, with second from Vice Mayor Metzger Aubuchon, that Ordinance No. O-28-06 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

FIRST READINGS:

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE O-29-06: AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FOR AN APPROXIMATE 2.8 ACRE SITE GENERALLY LOCATED ON THE NORTH/EAST SIDE OF TURFWAY ROAD, IMMEDIATELY TO THE NORTH/WEST OF THE BUILDING AT 7650 TURFWAY ROAD (DANBARRY THEATER) AND ACROSS THE STREET FROM THE PROPERTY AT 7659 TURFWAY ROAD, BOONE COUNTY, KENTUCKY, TO REZONE THIS SITE FROM RECREATIONAL/PLANNED DEVELOPMENT (R/PD) TO INDUSTRIAL ONE/PLANNED DEVELOPMENT (I-1/PD) IN ORDER TO ALLOW TWO OFFICE BUILDINGS. (NORTHERN KENTUCKY ASSOCIATION OF REALTORS, INC./KENTUCKY WAYTURF, LLC PROPERTY)

Mayor Whalen read the following summary of the Ordinance: *The effect of this Ordinance is to approve a zoning map amendment, this amendment being for a zone change from Recreation/Planned Development (R/PD) to Industrial One/Planned Development (I-1/PD) to allow two office buildings on an approximate 2.8 acre site generally located on the north/east side of Turfway Road, immediately to the north/west of the building at 7650 Turfway Road (Danbarry Theater) and across the street from the property at 7659 Turfway Road, Boone County, Kentucky, in conjunction with proposed annexation of the 2.8 acres into the City of Florence, Kentucky.*

Councilmember Bushelman moved, with second from Councilmember Osborne, that Ordinance No. O-29-06 be approved on first reading and be held for second and final reading at the next meeting of Council. **Council approved by unanimous vote.**

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE O-30-06: AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FOR AN APPROXIMATE 3.84 ACRE SITE GENERALLY LOCATED ON THE NORTHEAST CORNER OF THE TURFWAY ROAD/THOROUGHbred BOULEVARD INTERSECTION AND IMMEDIATELY TO THE NORTH/WEST OF THE BUILDING AT 7484 TURFWAY ROAD (TUMBLEWEED RESTAURANT), FLORENCE, KENTUCKY, TO REZONE THIS SITE FROM RECREATIONAL/PLANNED DEVELOPMENT (R/PD) TO COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) TO ALLOW A HOTEL AND A COMMERCIAL BUILDING. (WAYTURF, LLC PROPERTY)

Mayor Whalen read the following summary of the Ordinance: *The effect of this Ordinance is to approve a zoning map amendment, this amendment being for a zone change from Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD) to allow a hotel and a commercial building on an approximate 3.84 acre site generally located on the northeast corner of the Turfway Road/Thoroughbred Boulevard intersection and immediately to the north/west of the building at 7484 Turfway Road (Tumbleweed Restaurant), Florence, Kentucky.*

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Councilmember Osborne moved, with second from Councilmember Stephens, that Ordinance No. O-30-06 be approved on first reading and be held for second and final reading at the next meeting of Council. **Council approved by unanimous vote.**

RESOLUTIONS:

Mayor Whalen presented the following Resolution for consideration:

RESOLUTION R-11-06: A RESOLUTION RECOGNIZING THE NEED TO ENSURE THAT FUNDING SOURCES FOR THE PUBLIC SAFETY COMMUNICATIONS CENTER CONTINUE TO ADEQUATELY SUPPORT CURRENT OPERATIONAL AND CAPITAL NEEDS SO AS TO PROVIDE QUALITY PUBLIC SAFETY COMMUNICATIONS SERVICE TO THE PUBLIC; AND, EXPRESSING SUPPORT FOR AN INCREASE IN 911 FEES TO ADDRESS THOSE FUNDING NEEDS.

Vice Mayor Metzger Aubuchon moved, with second from Councilmember Bushelman, that Resolution R-11-06 be approved as reviewed. Roll Call Vote: Councilmembers Stephens, Osborne, Metzger Aubuchon, Conrad, and Bushelman voted yes; Councilmember Carroll voted no. **Council approved by a 5-1 vote (Carroll).**

Mayor Whalen presented the following Resolution for consideration:

RESOLUTION R-12-06: A RESOLUTION AUTHORIZING AN APPLICATION BY THE CITY OF FLORENCE, KENTUCKY AS PROJECT SPONSOR FOR PARTICIPATION IN THE CONGESTION MITIGATION AND AIR QUALITY PROGRAM (CMAQ) FOR A U.S. 42 LEFT TURN-LANE ONTO MALL ROAD AND AGREEING TO PAY TWENTY PERCENT (20%) OF THE COST OF SUCH PROJECT AS A CASH MATCH FOR THE CONGESTION MITIGATION AND AIR QUALITY PROGRAM PROJECT.

Councilmember Conrad moved, with second from Councilmember Stephens, that Resolution R-12-06 be approved as reviewed. **Council approved by unanimous vote.**

DISCUSSION & POSSIBLE ACTION:

Mayor Whalen recognized Assistant City Coordinator/Community Development Director Rick Lunnemann regarding public safety improvements to Dixie Highway. Additional discussion followed.

Mayor Whalen presented the following Resolution for consideration:

RESOLUTION R-13-06: A RESOLUTION OF THE CITY OF FLORENCE, KENTUCKY SUPPORTING PUBLIC SAFETY IMPROVEMENTS TO DIXIE HIGHWAY.

Councilmember Stephens moved, with second from Vice Mayor Metzger Aubuchon, that Resolution R-13-06 be approved as reviewed. **Council approved by unanimous vote.**

MOTION:

Authorizing City of Florence Mayor Diane E. Whalen to sign the Amended Inter-Governmental Agreement between the City of Florence and County of Boone providing for and governing the operation of the Boone County Public Safety Communications Center (P.S.C.C.).

Vice Mayor Metzger Aubuchon moved, with second from Councilmember Bushelman, Authorizing City of Florence Mayor Diane E. Whalen to sign the Amended Inter-Governmental Agreement between the City of Florence and County of Boone providing for and governing the operation of the Boone County Public Safety Communications Center (P.S.C.C.). Additional discussion followed.

After discussion, Vice Mayor Metzger Aubuchon withdrew her original motion and Councilmember Bushelman withdrew his second.

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MAYOR'S REPORT:

Mayor Whalen advised of a Special Meeting of the Florence City Council scheduled for Tuesday, December 19 at 7 p.m. at the Government Center.

Mayor Whalen advised she and City Council would be sworn in by Boone County Judge Michael Collins during the Special Meeting on December 19.

Mayor Whalen advised Boone County Clerk Marilyn Rouse and former Boone County Circuit Clerk Pat Gutzeit would be honored for their years of service during the Special Meeting on December 19.

Mayor Whalen advised of the Marine Corps Toys for Tots program. She said a drop box for unwrapped toys is located in the main lobby of the Government Center through Wednesday, December 13.

Mayor Whalen advised of the United Ministries program. She said a drop box for donations is located in the main lobby of the Government Center through Monday, December 18.

CITY COORDINATOR'S REPORT:

There was no report given by City Coordinator Pat Wingo.

OTHER:

Mayor Whalen asked if any Councilmember desired recognition; Councilmember Osborne encouraged people to drive on Juniper Lane to see the Christmas decorations.

Councilmember Stephens advised commended Code Enforcement Officer Dale Jesensky for recently appearing at Gray Middle School to speak to eighth grade students regarding the importance and significance of Veterans Day.

Vice Mayor Metzger Aubuchon asked residents to shop Florence businesses for the holidays.

Mayor Whalen asked if any department head desired recognition; no one responded.

Mayor Whalen asked if anyone in the audience desired recognition; Rob Ransdell addressed City Council. Additional discussion followed.

EXECUTIVE SESSION:

Mayor Whalen called for a motion to go into **Executive Session** pursuant to K.R.S. 61.810 (1)(b) Acquisition/sale of real property-Where publicity would be likely to affect the value of property to be acquired for public use or to be sold by the City. Councilmember Stephens so moved, with second from Vice Mayor Metzger Aubuchon and **unanimous approval of Council**, the time being 8:09 p.m.

Mayor Whalen called for a motion to come back into session after the **Executive Session** pursuant to K.R.S. 61.810 (1)(b) Acquisition/sale of real property-Where publicity would be likely to affect the value of property to be acquired for public use or to be sold by the City. Councilmember Bushelman so moved, with second from Vice Mayor Metzger Aubuchon and **unanimous approval of Council**, the time being 8:30 p.m.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Whalen called for a motion to adjourn. Councilmember Conrad so moved, with second from Councilmember Bushelman, and **unanimous approval of Council**, the time being 8:31 p.m.

APPROVED:

Diane E. Whalen, Mayor

ATTEST:

Joseph A. Christofield, City Clerk